

State of California
Air Resources Board

Second Notice of Public Availability of Modified Text

Proposed Amendments to the Regulation for Reducing Sulfur Hexafluoride Emissions from Gas Insulated Switchgear

Public Hearing Date: September 24, 2020
First Notice of Public Availability Date: May 5, 2021 – May 26, 2021
Second Notice of Public Availability Date: June 17, 2021
Deadline for Public Comment: July 2, 2021

At its September 24, 2020, public hearing, the California Air Resources Board (CARB or Board) approved for adoption the proposed amendments to sections 95350 to 95359 and new sections 95354.1, 95357.1 and 95359.1, Title 17 California Code of Regulations which comprise the Regulation for Reducing Greenhouse Gas (GHG) Emissions from Gas-Insulated Equipment (GIE). On May 5, 2021, staff released a Notice of Public Availability of Modified Text that added new section 95357.2 to the Regulation.

The Board directed the Executive Officer to determine if additional conforming modifications to the regulation were appropriate and to make any proposed modified regulatory language available for public comment, with any additional supporting documents and information, for a period of at least 15 days as required by Government Code section 11346.8. The Board further directed the Executive Officer to consider written comments submitted during the public review period and make any further modifications that are appropriate available for public comment for at least 15 days, and present the regulation to the Board for further consideration if warranted, or take final action to adopt the regulation after addressing all appropriate modifications.

On May 5, 2021, staff released a Notice of Public Availability of Modified Text. Comments that were received during the formal comment period for the modified text, as well as further staff analysis, are reflected in the proposed modifications in this second Notice. The changes are described below and are incorporated in the modified regulatory text.

The resolution and all other regulatory documents for this rulemaking are available online at the following CARB website:

<https://ww2.arb.ca.gov/rulemaking/2020/sf6>

The text of the modified regulatory language is shown in Attachment A. The originally proposed regulatory language, released July 21, 2020, is shown in ~~striketrough~~ to indicate deletions and underline to indicate additions. Changes noted in the first Notice of modified text, released May 5, 2021, are shown in ~~**bold double striketrough**~~ and **bold double underline format**, respectively. New deletions and additions to the proposed language that are made public with this second Notice are shown in ~~*italicized double striketrough*~~ and *italicized double underline format*, respectively.

In the Final Statement of Reasons, staff will respond to all comments received on the record during the comment periods. The Administrative Procedure Act requires that staff respond to comments received regarding all noticed changes. Therefore, staff will only address comments received during this 15-day comment period that are responsive to this notice, documents added to the record, or the changes detailed in Attachment A.

Summary of Proposed Modifications

The following summary does not include all modifications to correct typographical or grammatical errors, changes in numbering or formatting, nor does it include all of the non-substantive revisions made to improve clarity.

1. Modifications to Section 95354. Inventory and Insulating Gas Procedures.

Section 95354(a)(10)(A)(9.) is modified to add “of” to correct a grammatical error.

Section 95354(a)(12)(B) is modified to add “(if available)” in response to stakeholder comments that GIE owners may not know the SF₆ capacity of replacement parts because it is not always specified by the manufacturer.

Section 95354(d) is modified to clarify that this provision covers a manufacturer, contractor, or vendor recovering gas from a GIE.

Sections 95354(f)(2) and (3) are modified to remove “precision” in response to stakeholder comments that using this word to modify “pressure gauge” and “temperature gauge,” did not add meaning, and could be interpreted inconsistently.

Section 95354(f)(4) is modified to allow use, for nameplate capacity adjustments, of any gas cart capable of recovering gas from a GIE device to the manufacturer-specified maximum achievable blank-off pressure of the GIE device, as requested in stakeholder comments.

The section numbered 95354(j)(2) is modified to be 95354(j)(3) to reflect the intended numbering.

Section 95354(l)(4) is modified to remove “precision” for the reasons described in sections 95354(f)(2) and (3) above.

2. Modifications to Section 95355. Reporting Requirements.

Section 95355(a)(1) is modified to require that GIE owners report their “ARB identification number (if assigned).”

The second section numbered 95355(a)(7)(C) is renumbered to be 95355(a)(7)(D) to reflect the intended numbering.

3. Modifications to Section 95356. Recordkeeping.

Section 95356(a)(14)(C) is modified to require retention of “other manufacturer-provided materials used to convert the initial system pressure to a temperature compensated initial system pressure” in addition to manufacturer temperature/pressure curves. This change is necessary to maintain consistency with modifications to section 95357.2(c)(2).

4. Modifications to Section 95357. SF₆ Phase-Out Exemption and Failure Notification.

Section 95357(d)(8) is modified to change “All applicable justifications for the exemption” to “The applicable justifications for the exemption, as follows:” in response to stakeholder comments that this section was unclear.

Sections 95357(d)(8)(A-D) are modified to remove “this includes” to clarify that the information specifically listed in these sections is required to be included in the exemption request.

Section 95357(d)(8)(E) is modified to add “and approved” to reflect modifications made to section 95357(f).

Section 95357(f) is modified so that the Executive Officer will approve a phase-out exemption request once it is deemed complete.

Section 95357(g) is modified to eliminate the 30-day CARB review period previously contained in this section, in line with the revisions made to section 95357(f), and to clarify that the submittal is approved in the event that the Executive Officers has not responded to the submittal within 45 days.

Section 95357(i)(2) is modified to require the notification described in this section be submitted within 45 days of the acquisition of the GIE device used to resolve the failure, instead of within 45 days of the failure itself. Commenters stated it could take

months to purchase, manufacture and ship the replacement device, making the previous deadline unworkable.

Section 95357(i)(2)(F) is modified, for cases of imminent failure, to require the GIE owner to provide an explanation of the circumstances that led them to believe failure was imminent, and the timeframe within which the GIE owner expected the GIE device to fail.

5. Modifications to Section 95357.2. Nameplate Capacity Adjustments.

Section 95357.2(c)(1) is modified to remove “precision” for the reasons described in sections 95354(f)(2) and (3) above.

Section 95357.2(c)(2) is modified to add “or other manufacturer-provided materials that can be used to convert the initial system pressure to a temperature compensated initial system pressure” per stakeholder comments that the manufacturer-specified temperature/pressure curve may be unavailable, and an alternative was needed to allow for completion of the nameplate capacity adjustment process in these cases.

6. Modifications to Section 95359. Enforcement.

Section 95359(c) is modified to remove “for each day of the calendar year.”

7. Additional Modifications.

In addition to the modifications described above, additional modifications correcting grammar, punctuation and spelling have been made throughout the proposed changes. These changes are nonsubstantive.

These modifications do not change implementation of the regulation in any way that affects the conclusions included in the Staff Report’s Environmental Analysis (EA). The modifications do not lead to foreseeable changes in compliance responses identified in the EA because the modifications do not affect the emissions limit for small GIE owners or other GIE owners evaluated in the EA. Given this, the modifications do not affect the EA analysis that evaluated greenhouse gas impacts from the emissions limit requirement. As such, the modifications do not result in any significant adverse effect on the physical environment. Therefore, the modifications do not require additional environmental analysis or recirculation of the analysis.

Agency Contacts

Inquiries concerning the substance of the proposed regulation may be directed to Carey Bylin, Manager, Energy Section, at Carey.Bylin@arb.ca.gov or Matthew Botill, Assistant Division Chief, Industrial Strategies Division, at Matthew.Botill@arb.ca.gov.

Public Comments

Written comments will only be accepted on the modifications identified in this Notice. Comments may be submitted by postal mail or by electronic submittal no later than the due date to the following:

Postal mail: Clerks' Office, California Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: <https://www.arb.ca.gov/lispub/comm/bclist.php>

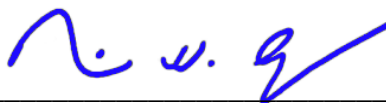
Please note that under the California Public Records Act (Gov. Code § 6250 et seq.), your written and verbal comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

In order to be considered by the Executive Officer, comments must be directed to CARB in one of the two forms described above and received by CARB no later than the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

If you need this document in an alternate format or another language, please contact the Clerks' Office at (916) 322-5594 or by facsimile at (916) 322-3928 no later than five (5) business days from the release date of this notice. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Si necesita este documento en un formato alternativo u otro idioma, por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de cinco (5) días laborales a partir de la fecha del lanzamiento de este aviso. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

California Air Resources Board



Richard W. Corey
Executive Officer

Date: June 16, 2021

Attachment

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see [CARB's website](http://www.arb.ca.gov) (www.arb.ca.gov).